

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Judgment Creditor,

v.

RICHARD WONG,

Judgment Debtor,

and

FIDELITY MANAGEMENT TRUST CO. &
FIDELITY BROKERAGE SERVICES, LLC,

Third-Party Respondents.

20 CR 210 (LTS)

TURNOVER ORDER

WHEREAS the Court entered judgment against Richard Wong on September 24, 2020 and ordered him to pay \$315,145.88 plus interest in restitution to the victim of his crime;

WHEREAS as of April 23, 2021, Wong has not made any payment, and his outstanding balance is \$315,349.71;

WHEREAS, pursuant to 18 U.S.C. § 3613, upon entry of judgment, a lien arose against all of Wong's property and rights to property notwithstanding any other federal law, and the United States may use any federal or state procedure to enforce the judgment;

WHEREAS, pursuant to Federal Rule of Civil Procedure 69(a)(1) and N.Y. CPLR § 5222, the United States issued and served a restraining notice on Fidelity Management Trust Co. for substantial nonexempt property belonging or due to Wong;


WHEREAS the United States served Wong with the restraining notice, including the exclusive and limited exemptions available to criminal judgment debtors under 18 U.S.C. § 3613(a);

WHEREAS Fidelity responded to the restraining notice as and for Fidelity Management Trust Co. and Fidelity Brokerage Services, LLC that as of the statement period ending February 28, 2021, and subject to market fluctuation, it holds approximately \$351,818.44 in Rollover IRA number ending in 6968 and \$1,753,652.45 in Rollover IRA number ending in 1160 for Wong; and

WHEREAS Wong has a substantial nonexempt interest in the funds held by Fidelity, to which the criminal judgment lien has attached under 18 U.S.C. § 3613, and therefore these funds are subject to turnover pursuant to N.Y. CPLR § 5225(b);

IT IS HEREBY ORDERED that, within 15 days from the date of this order, third-party respondents, FIDELITY MANAGEMENT TRUST CO. and FIDELITY BROKERAGE SERVICES, LLC, shall liquidate securities in Wong's IRA(s) as needed to submit the sum certain amount of \$315,349.71 to the Clerk of Court in satisfaction of Wong's judgment. Payment should be made by cashier's check or certified funds to "Clerk of Court" with "No. 20 CR 210" written on the face of the payment and mailed to the United States District Court, 500 Pearl Street, Room 120, New York, New York 10007, Attn: Cashier.

Dated: New York, New York
_____, April 26, 2021



CHIEF UNITED STATES DISTRICT JUDGE